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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/543,127	04/24/2006	Conny Hagg	1506-1085	2623
466	7590	09/15/2008		
YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314			EXAMINER KURTZ, BENJAMIN M	
			ART UNIT 1797	PAPER NUMBER
			MAIL DATE 09/15/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/543,127	<b>Applicant(s)</b> HAGG, CONNY	
	<b>Examiner</b> BENJAMIN KURTZ	<b>Art Unit</b> 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/05</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 is objected to because of the following informalities: there is a typographical error on line 9; it appears that filtrations should read filtration. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102 and 103***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 1-7, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Glos II US 3 369 668.**

Claim 1, Glos teaches a filter sector (12) comprising: a first filtration wall (28) of a substantially rigid net, and a second filtration wall (28) of a substantially rigid net

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opposite the first filtration wall, a filtrate chamber (18c) being formed between the first and second filtration walls, wherein the filtration walls are profiled to form a multiplicity of cavities and humps and that each cavity and hump respectively includes a multiplicity of meshes of the net (fig. 4-7).

Claims 2-7, 11 and 12, Glos further teaches the cavities and humps respectively are oriented in rows with the rows of cavities alternating with the rows of humps (fig. 4-7); the cavities and humps are formed by weaving the net (fig. 7); the cavities and humps are formed by pressing (col. 3, lines 59-65); each cavity and hump is defined by four straight sides (fig. 7); each straight side of a cavity is common to one of the four straight sides of an adjacent hump (fig. 7); and the first and second filtration walls of the new take the shape of a bag (fig. 4, 5).

**3. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glos '668 in view of Oliver et al. US 2 964 194 and Jackson US 3 948 779.**

Claim 8, Glos further teaches first and second support walls (34, 36) made of a planar perforated material that is coarser than the net of the filtration walls, wherein the first and second support walls support the first and second filtration walls respectively (fig. 4, 5). Glos does not teach what material the support wall is made of. Oliver and Jackson both teach a support wall made of metal net (Jackson, col. 2, line 61 - col. 3, line 11; Oliver, col. 1, lines 22-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use metal for the support

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material because the material allows the support to be self supporting, support the filter material and allow passage of filtrate therethrough (Jackson, col. 3, lines 1-11). Also, use of a metal support is very well known in the art and would have been obvious to one of ordinary skill in the art because the particular technique is recognized as part of the ordinary capabilities of one skill in the art, KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385 (2007).

Claim 9, Glos further teaches the support walls are joined to each other at the radial sides of the filter sector, whereby the filtration walls and support walls form a bag like filter unit (fig. 4, 5).

**4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glos '668 in view of Mohlin et al. US 6 231 761 and Vore US 3 331 512.**

Glos teaches the filter sector of claim 1 but does not teach the net comprises a metal net. Mohlin and Vore both teach the use of a filtration wall comprising a metal net (Mohlin, col. 1, lines 48-59; Vore, col. 1, lines 43-45). The use of metal net for a filtration wall is very well known in the prior art as demonstrated by Mohlin and Vore. Therefore using a metal net would have been obvious because the particular known technique was recognized as part of the ordinary capabilities of one skill in the art, KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385 (2007).

***Conclusion***

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN KURTZ whose telephone number is (571)272-8211. The examiner can normally be reached on Monday through Friday 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin Kurtz  
Examiner  
Art Unit 1797

/Benjamin Kurtz/  
Examiner, Art Unit 1797  
9/11/08

/Krishnan S Menon/  
Primary Examiner, Art Unit 1797